

Amendment No. 1 to HB2049

Eldridge
Signature of Sponsor

AMEND Senate Bill No. 1928

House Bill No. 2049*

by deleting the language "Title 47, Chapter 18," from the directory language of SECTION 1 and substituting instead the language "Title 47, Chapter 18, Part 1".

AND FURTHER AMEND by deleting the word "items" in subdivision (c)(4) from the amendatory language of SECTION 1 wherever it appears and substituting instead the word "documents".

AND FURTHER AMEND by adding the following new subsection (f) to SECTION 1:

(f)

(1) Any act set out in subsection (c) shall be an unfair and deceptive act or practice affecting the conduct of trade and commerce and subject to the penalties and remedies provided in this part. A violation of subsection (e) shall also be subject to the penalties and remedies provided in this part.

(2) In addition to other remedies provided in this part, a court may order:

(A) Payment to the state of up to one hundred dollars (\$100) for each person who receives a written or electronic advertisement distributed in violation of this section; and

(B) Reimbursement to the state for the reasonable costs and expenses of investigating and prosecuting a violation of this section, including attorneys' fees.

(3) All funds recovered pursuant to this subsection (f) shall be retained by the attorney general and reporter to be used in the enforcement of this section and other consumer protection related activities.